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REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
GROUP 2642  
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q65563

Loic OLLIVIER, et al.

Appln. No.: 09/913,464

Group Art Unit: 2642

Confirmation No.: 2414

Examiner: Marie C. UBILES

Filed: August 15, 2001

For: A METHOD OF TRANSMITTING INFORMATION TO A TELEPHONE TERMINAL  
UNIT VIA AN ANALOG LINE, AND TELECOMMUNICATIONS EQUIPMENT  
APPLYING THE METHOD

REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.116

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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JUL 21 2004

Technology Center 2600

Sir:

In response to the Office Action dated April 22, 2004, reconsideration and allowance of the subject application are respectfully requested. Upon entry of this Request, claims 1-6 are pending in the application. Applicant respectfully submits that the pending claims define patentable subject matter.

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REQUEST FOR RECONSIDERATION  
U.S. Application No. 09/913,464

Claims 1-6 are now rejected under 35 U.S.C. § 103(a) as being unpatentable over Sandler et al. (USP 5,983,117; hereafter "Sandler").<sup>1</sup> Applicant respectfully submits that the claimed invention would not have been rendered obvious in view of Sandler.

Claim 1 is directed to a "method of transmitting information to a telephone subscriber terminal unit of a telephone network to which the telephone subscriber terminal unit is connected via at least one analog telephone line". Claim 1 recites:

generating and encoding command or information messages at the local exchange;

transmitting the command or information messages from the local exchange to the telephone subscriber terminal unit in addition to sending speech signals and telephone signaling via the analog telephone line; and

receiving the command or information messages at the telephone subscriber terminal unit, and decoding and interpreting the command or information messages in information processing means of the telephone subscriber terminal unit in order to display the command or information messages as text messages at the telephone subscriber terminal unit or output the command or information messages as speech messages at the telephone subscriber terminal unit.

On page 3 of the Office Action, the Examiner cites Sandler for allegedly disclosing that a mobile switching center (which the Examiner asserts corresponds to the claimed local exchange) sends commands of information messages to a subscriber unit (which the Examiner contends corresponds to the claimed terminal unit) in response to a service request from the subscriber

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<sup>1</sup> USP 5,983,117 was cited in the International Search Report as a category "A" reference (i.e., "document defining the general state of the art which is not considered to be of particular relevance").

REQUEST FOR RECONSIDERATION  
U.S. Application No. 09/913,464

unit. However, Applicant respectfully submits that it is quite clear that Sandler does not generate, encode and send any type of command or information message, in addition to sending speech and telephone signaling, to the subscriber unit, as required by claim 1.

Sandler discloses a system for providing fixed wireless access to standard telephony device. As shown in Figure 1, a subscriber unit 120 comprising a telephony interface 121 for connecting to a standard telephony device (e.g., telephone 111), and a transceiver 125 for establishing a communication link with a wireless network is used for providing telephony service to the telephone 111. When the subscriber unit 120 detects that the telephone 11 is off-hook, the subscriber unit 120 sends to a mobile switching center (MSC) 140 a routing message which identifies the subscriber unit 120 as a terminal which sends digits on a digit-by-digit basis. In response to the routing message, the MSC 140 sets up a communication link with the subscriber unit 120. The MSC 140 then transmits a dial tone which is provided to the telephone 111, wherein the dial tone serves as an audible indication to the user that a radio link exists. In response to the dial tone, the user enters the digits of a directory number or feature activation code via the telephone 111 and the dual tone multiple frequency (DTMF) tones corresponding to the entered digits are transmitted to the MSC 140 via the subscriber terminal 120. The MSC 140 then collects and analyzes digits sent by the subscriber unit 120 on a digit-by-digit basis in order to provide a service feature or to connect a call.

As best understood by the Applicant, the Examiner appears to be taking the position that the claimed method steps read on Sandler's disclosure of the MSC providing a dial tone to the telephone via the subscriber unit. However, the dial tone provided by the MSC does not in any correspond to generating and encoding command or information messages at the local exchange

REQUEST FOR RECONSIDERATION  
U.S. Application No. 09/913,464

and transmitting the command or information messages from the local exchange to the telephone subscriber terminal unit in addition to sending speech signals and telephone signaling via an analog telephone line. Although the Examiner asserts that the "use of an audible indication [dial tone] can read into 'speech messages'", the subscriber unit 120 does not decode and interpret the dial tone in information processing means of the subscriber unit 120 in order to display the dial tone as text messages or output the dial tone as speech messages. Instead, the dial tone is simply a signal which is provided by conventional telephone network (i.e., PSTN rather mobile/wireless network) and indicates that a connection to the wireless network has been established and the wireless network is able to receive digits dialed by the user of the telephone (i.e., by dialing the digits, a call may be completed to a corresponding telephone number or a corresponding service may be provided).

Accordingly, Applicant respectfully submits that independent claim 1, as well as dependent claims 2-4, should be allowable over Sandler since the reference does teach or suggest all of the features of the claims.

With regard to independent claim 5, Applicant respectfully submits that the claimed local exchange should be allowable for substantially the same reasons as claim 1 since Sandler does not teach or suggest "a command and information message processing unit for generating and sending command or information messages to the management logic unit of the telephone subscriber terminal unit in addition to sending speech signals and telephone signaling, each command or information message being coded so that the command or information message can be transmitted via an analog telephone line from the exchange to the unit", as claimed.


REQUEST FOR RECONSIDERATION  
U.S. Application No. 09/913,464

Similarly, Applicant respectfully submits that the claimed "telephone subscriber terminal unit" of independent claim 6 should be allowable because Sandler does not teach or suggest a "management logic unit comprising means for communicating and processing information enabling the management logic to receive command and/or information messages generated by and transmitted from the local exchange via the analog telephone line in addition to speech signals and telephone signaling transmitted from said local exchange, said command or information messages being decoded and processed for display as text messages or output as speech messages", as claimed.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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